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LaHive & Cockfield, LLP Floor 30, Suite 3000 One Post Office Square Boston, Massachusetts 02109

COPY MAILED MAR 182010

In re Patent No. 7,563,876

Deo et al.

: DECISION UPON REMAND AND

Issue Date: July 21, 2009

: RECONSIDERATION OF

Application No. 09/851,614

: PATENT TERM ADJUSTMENT

Filed: May 8, 2001

: AND NOTICE OF INTENT

Attorney Docket No. CDJ-166RCE2

: TO ISSUE CERTIFICATE OF

Title: Human Monoclonal

: CORRECTION

Antibodies to Dendritic Cells

This is a decision following remand from the District Court for the District of Columbia regarding the patent term adjustment indicated on the above-identified patent. The Court remanded this matter to the U.S. Patent and Trademark Office for recalculation of the patent term adjustment in accordance with the decision in Wyeth & Elan Pharma Int'l Ltd. v. Kappos, 591 F.3d 1364 (Fed. Cir. 2010).

The patent term adjustment indicated on the above-identified patent has been recalculated as directed by the Court. of the above-identified patent is extended or adjusted by One Thousand one hundred and seventy (1170) days.

The application is being forwarded to the Certificates Branch for issuance of a certificate of correction indicating that the term of the above-identified patent is extended or adjusted by One Thousand one Hundred and seventy (1170) days.

Telephone inquiries specific to this matter should be directed to Senior Legal Advisor, Kery A. Fries at (571) 272-7757.

/Kery A. Fries/

Kery A. Fries

Patent No. 7,563,876 Application No. 09/851614 Page 2
Senior Legal Advisor Attorney
Office of Patent Legal Administration
Office of Associate Commissioner
For Patent Examination Policy

Enclosure: Copy of DRAFT Certificate of Correction

UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

PATENT : 7,563,876 B2

DATED : July 21, 2009 DRAFT

INVENTOR(S): Deo et al.

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the cover page,

[*] Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 USC 154(b) by 613 days

Delete the phrase "by 613 days" and insert – by 1170 days--

Day: Wednesday

Date: 3/17/2010 Time: 13:27:44

PALM INTRANET

PTA Calculations for Application: <u>09/851614</u>								
Application Filing Date: 05/08/2001 PTO Delay (PTO): 100								
Issue Date of Patent:	07/21/2009	Three Years:	0					
Pre-Issue Petitions:	0	Applicant Delay (APPL):	300					
Post-Issue Petitions:	0	Total PTA (days):	1170					
PTO Delay Adjustment:	465							

PTO Delay Adjustment: 465					
File Contents History					
Number	Date	Contents Description	PTO	APPL	START
126	03/17/2010	ADJUSTMENT OF PTA CALCULATION BY PTO	557		
118.5	07/01/2009	PTA 36 MONTHS			
118	07/21/2009	PATENT ISSUE DATE USED IN PTA CALCULATION	268		103
117	06/25/2009	EXPORT TO FINAL DATA CAPTURE			
116	06/24/2009	DISPATCH TO FDC			
115	06/19/2009	DISPATCH TO FDC			
114	06/15/2009	MAIL-RECORD A PETITION DECISION OF GRANTED FOR PATENT TERM ADJUSTMENT AFTER ALLOWANCE			
113	06/15/2009	RECORD A PETITION DECISION OF GRANTED FOR PATENT TERM ADJUSTMENT AFTER ALLOWANCE			
113	06/15/2009	RECORD A PETITION DECISION OF GRANTED FOR PATENT TERM ADJUSTMENT AFTER ALLOWANCE			
112	06/14/2009	ADJUSTMENT OF PTA CALCULATION BY PTO			
112	06/14/2009	ADJUSTMENT OF PTA CALCULATION BY PTO		94	
111	06/14/2009	ADJUSTMENT OF PTA CALCULATION BY PTO			
111	06/14/2009	ADJUSTMENT OF PTA CALCULATION BY PTO		30	
110	06/14/2009	ADJUSTMENT OF PTA CALCULATION BY PTO			
110	06/14/2009	ADJUSTMENT OF PTA CALCULATION BY PTO	13		
109	06/14/2009	ADJUSTMENT OF PTA CALCULATION BY PTO			
109	06/14/2009	ADJUSTMENT OF PTA CALCULATION BY PTO	19		
108	07/15/2008	EXPORT TO FINAL DATA CAPTURE			
107	06/26/2008	PETITION ENTERED			
106	07/10/2008	FINISHED INITIAL DATA CAPTURE			
105	07/10/2008	DISPATCH TO FDC			

104	11	1 1	1	11	11	
102	104	07/03/2008	APPLICATION IS CONSIDERED READY FOR ISSUE			
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69 01/03/2007 MAIL FINAL REJECTION (PTOL - 326)	70	7			
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63	65	09/29/2006	INFORMATION DISCLOSURE STATEMENT (IDS) FILED		
62 09/29/2006 RESPONSE AFTER NON-FINAL ACTION 92 60 61 09/29/2006 REQUEST FOR EXTENSION OF TIME - GRANTED 60 03/29/2006 MAIL NON-FINAL REJECTION 59 03/20/2006 NON-FINAL REJECTION 58 12/08/2005 EXAMINER INTERVIEW SUMMARY RECORD (PTOL - 413) 57 02/22/2006 PRELIMINARY AMENDMENT 56 01/23/2006 AFFIDAVIT(S) (RULE 131 OR 132) OR EXHIBIT(S) 55 01/23/2006 AFFIDAVIT(S) (RULE 131 OR 132) OR EXHIBIT(S) 54 01/23/2006 AFFIDAVIT(S) (RULE 131 OR 132) OR EXHIBIT(S) 53 01/23/2006 AFFIDAVIT(S) (RULE 131 OR 132) OR EXHIBIT(S) 52 01/23/2006 AFFIDAVIT(S) (RULE 131 OR 132) OR EXHIBIT(S) 51 01/23/2006 AFFIDAVIT(S) (RULE 131 OR 132) OR EXHIBIT(S) 50 01/23/2006 AFFIDAVIT(S) (RULE 131 OR 132) OR EXHIBIT(S) 50 01/23/2006 AFFIDAVIT(S) (RULE	64	09/29/2006	AFFIDAVIT(S) (RULE 131 OR 132) OR EXHIBIT(S) RECEIVED		
61 09/29/2006 REQUEST FOR EXTENSION OF TIME - GRANTED 60 03/29/2006 MAIL NON-FINAL REJECTION 59 03/20/2006 NON-FINAL REJECTION 58 12/08/2005 EXAMINER INTERVIEW SUMMARY RECORD (PTOL - 413) 57 02/22/2006 PRELIMINARY AMENDMENT 56 01/23/2006 AFFIDAVIT(S) (RULE 131 OR 132) OR EXHIBIT(S) RECEIVED 55 01/23/2006 AFFIDAVIT(S) (RULE 131 OR 132) OR EXHIBIT(S) RECEIVED 53 01/23/2006 AFFIDAVIT(S) (RULE 131 OR 132) OR EXHIBIT(S) RECEIVED 52 01/23/2006 AFFIDAVIT(S) (RULE 131 OR 132) OR EXHIBIT(S) RECEIVED 51 01/23/2006 AFFIDAVIT(S) (RULE 131 OR 132) OR EXHIBIT(S) RECEIVED 50 01/23/2006 AFFIDAVIT(S) (RULE 131 OR 132) OR EXHIBIT(S) RECEIVED 50 01/23/2006 INFORMATION DISCLOSURE STATEMENT CONSIDERED 49 01/23/2006 IFW TSS PROCESSING BY TECH CENTER	63	10/12/2006	DATE FORWARDED TO EXAMINER		
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59 03/20/2006 NON-FINAL REJECTION	61	09/29/2006	REQUEST FOR EXTENSION OF TIME - GRANTED		
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57 02/22/2006 PRELIMINARY AMENDMENT 56 01/23/2006 AFFIDAVIT(S) (RULE 131 OR 132) OR EXHIBIT(S) RECEIVED 55 01/23/2006 AFFIDAVIT(S) (RULE 131 OR 132) OR EXHIBIT(S) RECEIVED 54 01/23/2006 AFFIDAVIT(S) (RULE 131 OR 132) OR EXHIBIT(S) RECEIVED 53 01/23/2006 AFFIDAVIT(S) (RULE 131 OR 132) OR EXHIBIT(S) RECEIVED 52 01/23/2006 AFFIDAVIT(S) (RULE 131 OR 132) OR EXHIBIT(S) RECEIVED 51 01/23/2006 AFFIDAVIT(S) (RULE 131 OR 132) OR EXHIBIT(S) RECEIVED 50 01/23/2006 INFORMATION DISCLOSURE STATEMENT CONSIDERED 49 01/30/2006 IFW TSS PROCESSING BY TECH CENTER	59	03/20/2006	NON-FINAL REJECTION		
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55	57				
53 01/23/2006 RECEIVED	56				
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II 49 1101/30/70060 11 11 11	50	01/23/2006			
	49	110 T. / 3 CI/ 7 CICIAT	IFW TSS PROCESSING BY TECH CENTER COMPLETE		
48 01/23/2006 REFERENCE CAPTURE ON IDS	48	01/23/2006	REFERENCE CAPTURE ON IDS		

47.7	01/23/2006	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
	i —————		<u> </u>		
47	01/23/2006	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
46		DATE FORWARDED TO EXAMINER			
45	01/23/2006	AMENDMENT SUBMITTED/ENTERED WITH FILING OF CPA/RCE			
44	01/30/2006	DATE FORWARDED TO EXAMINER			
43	01/23/2006	REQUEST FOR CONTINUED EXAMINATION (RCE)			
42	11-	DISPOSAL FOR A RCE / CPA / R129			
41	01/23/2006	REQUEST FOR EXTENSION OF TIME - GRANTED			
40	01/23/2006	WORKFLOW - REQUEST FOR RCE - BEGIN			
39	07/21/2005	MAIL FINAL REJECTION (PTOL - 326)			
38	07/18/2005	FINAL REJECTION			
37	05/11/2005	DATE FORWARDED TO EXAMINER			
36		RESPONSE AFTER NON-FINAL ACTION		89	34
35	05/03/2005	REQUEST FOR EXTENSION OF TIME - GRANTED			
34	11/03/2004	MAIL NON-FINAL REJECTION			
33	10/29/2004	NON-FINAL REJECTION			
32	08/19/2004	DATE FORWARDED TO EXAMINER			
31	08/13/2004	RESPONSE TO ELECTION / RESTRICTION FILED			
30	10/29/2004	MAIL-RECORD PETITION DECISION OF GRANTED RELATED TO INVENTOR IN APPLICATION	-		
26	08/13/2004	WORKFLOW INCOMING AMENDMENT IFW			
25	07/19/2004	PETITION ENTERED			
24	07/19/2004	OATH OR DECLARATION FILED (INCLUDING SUPPLEMENTAL)			
23		MISCELLANEOUS INCOMING LETTER			
22	07/02/2003	PRELIMINARY AMENDMENT			
21	07/19/2004	WORKFLOW INCOMING PETITION IFW			
20	07/14/2004	MAIL RESTRICTION REQUIREMENT	737		-1
19	07/13/2004	REQUIREMENT FOR RESTRICTION / ELECTION			
18	12/19/2003	CORRESPONDENCE ADDRESS CHANGE			
17	10/08/2003	DATE FORWARDED TO EXAMINER			
16	10/07/2003	SUPPLEMENTAL RESPONSE		13	14
15		DATE FORWARDED TO EXAMINER			

14	09/24/2003	RESPONSE TO A LETTER TO COMPLY WITH THE SEQUENCE RULES	19	13
13	11016/11 5 /27110141	MAIL LETTER REQUIRING CRF (UNREADABLE, NON-COMPLIANT, NOT SUBMITTED)		
12	06/05/2003	CRF DISKETTE UNREADABLE / DID NOT COMPLY / REQUIRED BUT NOT SUBMITTED		
11.7	HC 1 //C 1 I / /C 1C 1 / 1	INFORMATION DISCLOSURE STATEMENT (IDS) FILED		
11	07/01/2002	INFORMATION DISCLOSURE STATEMENT (IDS) FILED		
10.7	02/25/2002	INFORMATION DISCLOSURE STATEMENT (IDS) FILED		
10	III // / 7 / / 1111 / 1	INFORMATION DISCLOSURE STATEMENT (IDS) FILED		
9	12/15/2001	CASE DOCKETED TO EXAMINER IN GAU		
8	11/08/2001	APPLICATION DISPATCHED FROM OIPE		
7	11/05/2001	APPLICATION IS NOW COMPLETE		
6	HO // LX/ /CHO L	NOTICE MAILEDAPPLICATION INCOMPLETE FILING DATE ASSIGNED		
5	07/18/2001	CORRESPONDENCE ADDRESS CHANGE		
4	06/11/2001	CRF IS GOOD TECHNICALLY / ENTERED INTO DATABASE		
3	05/22/2001	IFW SCAN & PACR AUTO SECURITY REVIEW		
2	05/08/2001	CRF DISK HAS BEEN RECEIVED BY PREEXAM / GROUP / PCT		
1	05/08/2001	INITIAL EXAM TEAM NN		

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EXPLANATION OF PTE CALCULATION

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